



USAID
FROM THE AMERICAN PEOPLE

UKRAINE

RULE OF LAW



Photo by Olha Myrtsalo

USAID/Ukraine Mission Director Earl Gast speaks at the International Judiciary Conference “Code of Conduct” for Ukrainian judges and court staff

THE CHALLENGE

A broad rule of law vacuum and widespread corruption have been critical constraints to achieving progress not only in democratic institution-building, but also in other important areas for Euro-Atlantic integration, such as economic reform.

Major challenges include:

- 1) an absence of consensus on an overall reform strategy among key stakeholders;
- 2) absent or inadequate legislation;
- 3) institutional weaknesses;
- 4) lack of transparency;
- 5) weak judicial support for government-led reforms;
- 6) low levels of public understanding about, confidence in, and access to the judicial system.

OVERVIEW

In April 2006, in response to the president and the Ukrainian government’s stated commitment to prioritizing rule of law reform and the fight against corruption, USAID launched a new four-year, \$12 million program. To ensure the transparency and accountability of the judiciary, USAID programs provide support to the judicial reform process, educational programs for judges and court staff, and assistance in court administration and case management, including improved access to court decisions. To improve the quality of legal services, USAID programs also provide legal education for lawyers. USAID supports NGOs that provide legal assistance to underserved segments of the population, and NGOs that monitor court activities. Public information campaigns inform the general public on basic legal rights, accessing the judiciary and court information, new legislation and international conventions. In addition, anti-corruption is a cross-cutting theme that is mainstreamed in most USAID programs in Ukraine.

OUR PROGRAMS

Legal Reform and Rule of Law

USG assistance supports activities to increase transparency, accountability, public confidence, and access to justice through support for legal clinics, consensus-building around judicial reform, improved court automation and efficiency, enhanced civil society court monitoring, and increased collaboration between courts and the media.

This program increases access to quality legal services and improved legal education. The goal is to expand the scope of pro bono legal services by supporting the development of five new legal clinics and seven new advocacy centers in underrepresented regions, and maintaining a legal defense fund to finance large impact litigation, such as class action suits. Through this program, USAID also supports legal education reform via curriculum development, teacher training and other initiatives.

Combating Corruption and Strengthening the Rule of Law

This program focuses on increasing the transparency and accountability of the judicial system, and promoting policy and legislative reform in rule of law and anti-corruption. It provides assistance in reforming the legal and regulatory framework related

PROGRAM OBJECTIVES

- Promote the establishment of an effective, transparent and independent judiciary.
- Support legal education reform, and expand access to justice by making legal services available to greater segments of the population.
- Assist Ukrainian efforts to reduce and deter corruption.

Implementing Partners

Legal Reform and Rule of Law:
ABA/CEELI

**Combating Corruption and
Strengthening the Rule of Law:**
Chemonics, International

**For more information, please contact
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to the judiciary; strengthening judicial selection, ethics, and disciplinary processes and procedures; improving court administration and case management; increasing judicial training capacity; and enhancing relations between the courts, media, and society.

PROGRAM HIGHLIGHTS

Legal Reform and Rule of Law

- USAID supported a network of 27 consultation centers and clinics that provided more than 8,000 legal consultations, filed nearly 1,800 administrative actions, and represented clients in nearly 1,400 lawsuits in FY 2007.
- Clinical legal education has been incorporated into the law school curricula; two USAID-published textbooks were endorsed by the Ministry of Education. Training centers for educators have been established in Kyiv and Volyn.
- Over the past few years, a National Judicial Association with 21 regional chapters, together with three regional associations, has evolved, with technical assistance provided by USAID.

Combating Corruption and Strengthening the Rule of Law

- With support from USAID, the High Qualifications Commission of Judges and Academy of Judges conducted a pilot anonymous test for judicial candidates to promote the merit-based selection of judges. The High Qualifications Commission of Judges also now publishes a quarterly bulletin with detailed information and cases regarding judicial discipline.
- Together with the Supreme Court, Council of Judges, and State Judicial Administration, USAID is implementing and testing an automated random case assignment and management system in selected pilot courts as part of a national strategy to automate the courts.
- USAID has introduced a Registry of Court Decisions to improve access to court decisions by strengthening the judiciary's ability to electronically transmit and post decisions on the Internet. This has included assistance to the High Administrative Court, which now features nearly 1,000 decisions available online.
- The Academy of Judges incorporated a USAID-supported judicial ethics curriculum into ongoing judicial education programs. In addition, 769 judges participated in seminars on judicial ethics, human rights law, court administration, administrative law, and media relations implemented together with the Academy of Judges.
- USAID completed a curriculum on public court monitoring and trained 28 civil society advocates. USAID-supported organizations monitored activities in 49 courts covering seven regions of Ukraine, providing useful research that is being used to help courts become more accessible, streamline processes, save costs, and implement other changes that positively impact both courts and users of the court system, such as creating public outreach offices in courts.